

.....
(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

IN THE HOUSE OF REPRESENTATIVES

Mr. SCHNEIDER introduced the following bill; which was referred to the
Committee on _____

A BILL

To authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Domestic Terrorism
3 Prevention Act of 2020”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Recent reports have demonstrated that
7 White supremacists and other far-right-wing extrem-
8 ists are the most significant domestic terrorism
9 threat facing the United States, including—

10 (A) a February 22, 2019, New York Times
11 op-ed, by a Trump Administration United
12 States Department of Justice official, who
13 wrote that “white supremacy and far-right ex-
14 tremism are among the greatest domestic-secu-
15 rity threats facing the United States. Regret-
16 tably, over the past 25 years, law enforcement,
17 at both the Federal and State levels, has been
18 slow to respond. ...Killings committed by indi-
19 viduals and groups associated with far-right ex-
20 tremist groups have risen significantly.”;

21 (B) an April 2017 Government Account-
22 ability Office report on the significant, lethal
23 threat posed by domestic violent extremists,
24 which—

25 (i) explained that “[s]ince September
26 12, 2001, the number of fatalities caused

1 by domestic violent extremists has ranged
2 from 1 to 49 in a given year.”; and

3 (ii) noted that “[F]atalities resulting
4 from attacks by far right wing violent ex-
5 tremists have exceeded those caused by
6 radical Islamist violent extremists in 10 of
7 the 15 years, and were the same in 3 of
8 the years since September 12, 2001. Of
9 the 85 violent extremist incidents that re-
10 sulted in death since September 12, 2001,
11 far right wing violent extremist groups
12 were responsible for 62 (73 percent) while
13 radical Islamist violent extremists were re-
14 sponsible for 23 (27 percent).”; and

15 (C) an unclassified May 2017 joint intel-
16 ligence bulletin from the Federal Bureau of In-
17 vestigation and the Department of Homeland
18 Security, which found that “white supremacist
19 extremism poses [a] persistent threat of lethal
20 violence,” and that White supremacists “were
21 responsible for 49 homicides in 26 attacks from
22 2000 to 2016 ... more than any other domestic
23 extremist movement”.

24 (2) Recent domestic terrorist attacks include—

1 (A) the August 5, 2012, mass shooting at
2 a Sikh gurdwara in Oak Creek, Wisconsin, in
3 which a White supremacist shot and killed 6
4 members of the gurdwara;

5 (B) the April 13, 2014, mass shooting at
6 a Jewish community center and a Jewish as-
7 sisted living facility in Overland Park, Kansas,
8 in which a neo-Nazi shot and killed 3 civilians,
9 including a 14-year-old teenager;

10 (C) the June 8, 2014, ambush in Las
11 Vegas, Nevada, in which 2 supporters of the
12 far-right-wing “patriot” movement shot and
13 killed 2 police officers and a civilian;

14 (D) the June 17, 2015, mass shooting at
15 the Emanuel AME Church in Charleston, South
16 Carolina, in which a White supremacist shot
17 and killed 9 members of the church;

18 (E) the November 27, 2015, mass shooting
19 at a Planned Parenthood clinic in Colorado
20 Springs, Colorado, in which an anti-abortion ex-
21 tremist shot and killed a police officer and 2 ci-
22 vilians;

23 (F) the March 20, 2017, murder of an Af-
24 rican-American man in New York City, alleg-
25 edly committed by a White supremacist who re-

1 portedly traveled to New York “for the purpose
2 of killing black men”;

3 (G) the May 26, 2017, attack in Portland,
4 Oregon, in which a White supremacist allegedly
5 murdered 2 men and injured a third after the
6 men defended 2 young women whom the indi-
7 vidual had targeted with anti-Muslim hate
8 speech;

9 (H) the August 12, 2017, attacks in Char-
10 lottesville, Virginia, in which—

11 (i) a White supremacist killed one and
12 injured nineteen after driving his car
13 through a crowd of individuals protesting a
14 neo-Nazi rally, and of which former Attor-
15 ney General Jeff Sessions said, “It does
16 meet the definition of domestic terrorism
17 in our statute.”; and

18 (ii) a group of 6 men linked to militia
19 or White supremacist groups assaulted an
20 African-American man who had been pro-
21 testing the neo-Nazi rally in a downtown
22 parking garage;

23 (I) the July 2018 murder of an African-
24 American woman from Kansas City, Missouri,
25 allegedly committed by a White supremacist

1 who reportedly bragged about being a member
2 of the Ku Klux Klan;

3 (J) the October 24, 2018, shooting in
4 Jeffersontown, Kentucky, in which a White
5 man allegedly murdered 2 African Americans at
6 a grocery store after first attempting to enter
7 a church with a predominantly African-Amer-
8 ican congregation during a service;

9 (K) the October 27, 2018, mass shooting
10 at the Tree of Life Synagogue in Pittsburgh,
11 Pennsylvania, in which a White nationalist al-
12 legedly shot and killed 11 members of the con-
13 gregation;

14 (L) the April 27, 2019, shooting at the
15 Chabad of Poway synagogue in California, in
16 which a man yelling anti-Semitic slurs allegedly
17 killed a member of the congregation and
18 wounded 3 others;

19 (M) the August 3, 2019, mass shooting at
20 a Walmart in El Paso, Texas, in which a White
21 supremacist with anti-immigrant views killed 22
22 people and injured 26 others;

23 (N) the December 10, 2019, shooting at a
24 Kosher supermarket in Jersey City, New Jer-
25 sey, in which 2 men with anti-Semitic views

1 killed 3 people in the store and a law enforce-
2 ment officer in an earlier encounter; and

3 (O) the December 28, 2019, machete at-
4 tack at a Hanukkah celebration in Monsey,
5 New York, in which a man who had expressed
6 anti-Semitic views stabbed 5 individuals.

7 (3) In November 2019, the Federal Bureau of
8 Investigation released its annual hate crime incident
9 report, which found that in 2018, violent hate crimes
10 reached a 16-year high. Though the overall number
11 of hate crimes decreased slightly after three consecu-
12 tive years of increases, the report found a 4-percent
13 increase in aggravated assaults, a 15-percent in-
14 crease in simple assaults, and a 13-percent increase
15 in intimidation. There was also a nearly 6-percent
16 increase in hate crimes directed at LGBTQ individ-
17 uals and a 14-percent increase in hate crimes di-
18 rected at Hispanic and Latino individuals. Nearly 60
19 percent of the religion-based hate crimes reported
20 targeted American Jews and Jewish institutions.
21 The previous year's report found that in 2017, hate
22 crimes increased by approximately 17 percent, in-
23 cluding a 23-percent increase in religion-based hate
24 crimes, an 18-percent increase in race-based crimes,
25 and a 5-percent increase in crimes directed against

1 LGBTQ individuals. The report analyzing 2016 data
2 found that hate crimes increased by almost 5 per-
3 cent that year, including a 19-percent rise in hate
4 crimes against American Muslims. Similarly, the re-
5 port analyzing 2015 data found that hate crimes in-
6 creased by 6 percent that year. Much of the 2015
7 increase came from a 66-percent rise in attacks on
8 American Muslims and a 9-percent rise in attacks
9 on American Jews. In all 4 reports, race-based
10 crimes were most numerous, and those crimes most
11 often targeted African Americans.

12 (4) On March 15, 2019, a White nationalist
13 was arrested and charged with murder after alleg-
14 edly killing 50 Muslim worshippers and injuring
15 more than 40 in a massacre at the Al Noor Mosque
16 and Linwood Mosque in Christchurch, New Zealand.
17 The alleged shooter posted a hate-filled, xenophobic
18 manifesto that detailed his White nationalist ide-
19 ology before the massacre. Prime Minister Jacinda
20 Ardern labeled the massacre a terrorist attack.

21 (5) In January 2017, a right-wing extremist
22 who had expressed anti-Muslim views was charged
23 with murder for allegedly killing 6 people and injur-
24 ing 19 in a shooting rampage at a mosque in Quebec
25 City, Canada. It was the first-ever mass shooting at

1 a mosque in North America, and Prime Minister
2 Trudeau labeled it a terrorist attack.

3 (6) On February 15, 2019, Federal authorities
4 arrested U.S. Coast Guard Lieutenant Christopher
5 Paul Hasson, who was allegedly planning to kill a
6 number of prominent journalists, professors, judges,
7 and “leftists in general”. In court filings, prosecu-
8 tors described Lieutenant Hasson as a “domestic
9 terrorist” who in an email “identified himself as a
10 White Nationalist for over 30 years and advocated
11 for ‘focused violence’ in order to establish a white
12 homeland.”.

13 **SEC. 3. DEFINITIONS.**

14 In this Act—

15 (1) the term “Director” means the Director of
16 the Federal Bureau of Investigation;

17 (2) the term “domestic terrorism” has the
18 meaning given the term in section 2331 of title 18,
19 United States Code, except that it does not include
20 acts perpetrated by individuals associated with or in-
21 spired by—

22 (A) a foreign person or organization des-
23 ignated as a foreign terrorist organization
24 under section 219 of the Immigration and Na-
25 tionality Act (8 U.S.C. 1189);

1 (B) an individual or organization des-
2 ignated under Executive Order 13224 (50
3 U.S.C. 1701 note); or

4 (C) a state sponsor of terrorism as deter-
5 mined by the Secretary of State under section
6 6(j) of the Export Administration Act of 1979
7 (50 U.S.C. 4605), section 40 of the Arms Ex-
8 port Control Act (22 U.S.C. 2780), or section
9 620A of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2371);

11 (3) the term “Domestic Terrorism Executive
12 Committee” means the committee within the De-
13 partment of Justice tasked with assessing and shar-
14 ing information about ongoing domestic terrorism
15 threats;

16 (4) the term “hate crime incident” means an
17 act described in section 241, 245, 247, or 249 of
18 title 18, United States Code, or in section 901 of the
19 Civil Rights Act of 1968 (42 U.S.C. 3631);

20 (5) the term “Secretary” means the Secretary
21 of Homeland Security; and

22 (6) the term “uniformed services” has the
23 meaning given the term in section 101(a) of title 10,
24 United States Code.

1 **SEC. 4. OFFICES TO COMBAT DOMESTIC TERRORISM.**

2 (a) AUTHORIZATION OF OFFICES TO MONITOR, ANA-
3 LYZE, INVESTIGATE, AND PROSECUTE DOMESTIC TER-
4 RORISM.—

5 (1) DOMESTIC TERRORISM UNIT.—There is au-
6 thorized a Domestic Terrorism Unit in the Office of
7 Intelligence and Analysis of the Department of
8 Homeland Security, which shall be responsible for
9 monitoring and analyzing domestic terrorism activ-
10 ity.

11 (2) DOMESTIC TERRORISM OFFICE.—There is
12 authorized a Domestic Terrorism Office in the
13 Counterterrorism Section of the National Security
14 Division of the Department of Justice—

15 (A) which shall be responsible for inves-
16 tigating and prosecuting incidents of domestic
17 terrorism; and

18 (B) which shall be headed by the Domestic
19 Terrorism Counsel.

20 (3) DOMESTIC TERRORISM SECTION OF THE
21 FBI.—There is authorized a Domestic Terrorism
22 Section within the Counterterrorism Division of the
23 Federal Bureau of Investigation, which shall be re-
24 sponsible for investigating domestic terrorism activ-
25 ity.

1 (4) STAFFING.—The Secretary, the Attorney
2 General, and the Director shall each ensure that
3 each office authorized under this section in their re-
4 spective agencies shall—

5 (A) have adequate number of employees to
6 perform the required duties;

7 (B) have not less than 1 employee dedi-
8 cated to ensuring compliance with civil rights
9 and civil liberties laws and regulations; and

10 (C) require that all employees undergo an-
11 nual anti-bias training.

12 (5) SUNSET.—The offices authorized under this
13 subsection shall terminate on the date that is 10
14 years after the date of enactment of this Act.

15 (b) JOINT REPORT ON DOMESTIC TERRORISM.—

16 (1) BIENNIAL REPORT REQUIRED.—Not later
17 than 180 days after the date of enactment of this
18 Act, and each 6 months thereafter for the 10-year
19 period beginning on the date of enactment of this
20 Act, the Secretary of Homeland Security, the Attor-
21 ney General, and the Director of the Federal Bureau
22 of Investigation shall submit a joint report authored
23 by the domestic terrorism offices authorized under
24 paragraphs (1), (2), and (3) of subsection (a) to—

1 (A) the Committee on the Judiciary, the
2 Committee on Homeland Security and Govern-
3 mental Affairs, and the Select Committee on
4 Intelligence of the Senate; and

5 (B) the Committee on the Judiciary, the
6 Committee on Homeland Security, and the Per-
7 manent Select Committee on Intelligence of the
8 House of Representatives.

9 (2) CONTENTS.—Each report submitted under
10 paragraph (1) shall include—

11 (A) an assessment of the domestic ter-
12 rorism threat posed by White supremacists and
13 neo-Nazis, including White supremacist and
14 neo-Nazi infiltration of Federal, State, and
15 local law enforcement agencies and the uni-
16 formed services; and

17 (B)(i) in the first report, an analysis of in-
18 cidents or attempted incidents of domestic ter-
19 rorism that have occurred in the United States
20 since April 19, 1995, including any White-su-
21 premacist-related incidents or attempted inci-
22 dents; and

23 (ii) in each subsequent report, an
24 analysis of incidents or attempted incidents
25 of domestic terrorism that occurred in the

1 United States during the preceding 6
2 months, including any White-supremacist-
3 related incidents or attempted incidents;
4 and

5 (C) a quantitative analysis of domestic ter-
6 rorism for the preceding 6 months, including—

7 (i) the number of—

8 (I) domestic terrorism related as-
9 sessments initiated by the Federal
10 Bureau of Investigation, including the
11 number of assessments from each
12 classification and subcategory, with a
13 specific classification or subcategory
14 for those related to White
15 supremacism;

16 (II) domestic terrorism-related
17 preliminary investigations initiated by
18 the Federal Bureau of Investigation,
19 including the number of preliminary
20 investigations from each classification
21 and subcategory, with a specific clas-
22 sification or subcategory for those re-
23 lated to White supremacism, and how
24 many preliminary investigations re-
25 sulted from assessments;

1 (III) domestic terrorism-related
2 full investigations initiated by the
3 Federal Bureau of Investigation, in-
4 cluding the number of full investiga-
5 tions from each classification and sub-
6 category, with a specific classification
7 or subcategory for those related to
8 White supremacism, and how many
9 full investigations resulted from pre-
10 liminary investigations and assess-
11 ments;

12 (IV) domestic terrorism-related
13 incidents, including the number of in-
14 cidents from each classification and
15 subcategory, with a specific classifica-
16 tion or subcategory for those related
17 to White supremacism, the number of
18 deaths and injuries resulting from
19 each incident, and a detailed expla-
20 nation of each incident;

21 (V) Federal domestic terrorism-
22 related arrests, including the number
23 of arrests from each classification and
24 subcategory, with a specific classifica-
25 tion or subcategory for those related

1 to White supremacy, and a detailed
2 explanation of each arrest;

3 (VI) Federal domestic terrorism-
4 related indictments, including the
5 number of indictments from each clas-
6 sification and subcategory, with a spe-
7 cific classification or subcategory for
8 those related to White supremacy,
9 and a detailed explanation of each in-
10 dictment;

11 (VII) Federal domestic terrorism-
12 related prosecutions, including the
13 number of incidents from each classi-
14 fication and subcategory, with a spe-
15 cific classification or subcategory for
16 those related to White supremacy,
17 and a detailed explanation of each
18 prosecution;

19 (VIII) Federal domestic ter-
20 rorism-related convictions, including
21 the number of convictions from each
22 classification and subcategory, with a
23 specific classification or subcategory
24 for those related to White

1 supremacism, and a detailed expla-
2 nation of each conviction; and

3 (IX) Federal domestic terrorism-
4 related weapons recoveries, including
5 the number of each type of weapon
6 and the number of weapons from each
7 classification and subcategory, with a
8 specific classification or subcategory
9 for those related to White
10 supremacism; and

11 (ii) an explanation of each individual
12 case that progressed through more than 1
13 of the stages described under clause (i), in-
14 cluding the specific classification or sub-
15 category for each case.

16 (3) HATE CRIMES.—In compiling a joint report
17 under this subsection, the domestic terrorism offices
18 authorized under paragraphs (1), (2), and (3) of
19 subsection (a) shall, in consultation with the Civil
20 Rights Division of the Department of Justice and
21 the Civil Rights Unit of the Federal Bureau of In-
22 vestigation, review each hate crime incident reported
23 during the preceding 6 months to determine whether
24 the incident also constitutes a domestic terrorism-re-
25 lated incident.

1 (4) CLASSIFICATION AND PUBLIC RELEASE.—

2 Each report submitted under paragraph (1) shall
3 be—

4 (A) unclassified, to the greatest extent pos-
5 sible, with a classified annex only if necessary;
6 and

7 (B) in the case of the unclassified portion
8 of the report, posted on the public websites of
9 the Department of Homeland Security, the De-
10 partment of Justice, and the Federal Bureau of
11 Investigation.

12 (c) DOMESTIC TERRORISM EXECUTIVE COM-
13 MITTEE.—There is authorized a Domestic Terrorism Ex-
14 ecutive Committee, which shall—

15 (1) meet on a regular basis, and not less regu-
16 larly than 4 times each year, to coordinate with
17 United States Attorneys and other key public safety
18 officials across the country to promote information
19 sharing and ensure an effective, responsive, and or-
20 ganized joint effort to combat domestic terrorism;
21 and

22 (2) be co-chaired by—

23 (A) the Domestic Terrorism Counsel au-
24 thorized under subsection (a)(2)(B);

1 (B) a United States Attorney or Assistant
2 United States Attorney;

3 (C) a member of the National Security Di-
4 vision of the Department of Justice; and

5 (D) a member of the Federal Bureau of
6 Investigation.

7 (d) FOCUS ON GREATEST THREATS.—The domestic
8 terrorism offices authorized under paragraphs (1), (2),
9 and (3) of subsection (a) shall focus their limited resources
10 on the most significant domestic terrorism threats, as de-
11 termined by the number of domestic terrorism-related inci-
12 dents from each category and subclassification in the joint
13 report for the preceding 6 months required under sub-
14 section (b).

15 **SEC. 5. TRAINING TO COMBAT DOMESTIC TERRORISM.**

16 (a) REQUIRED TRAINING AND RESOURCES.—The
17 Secretary, the Attorney General, and the Director shall
18 review the anti-terrorism training and resource programs
19 of their respective agencies that are provided to Federal,
20 State, local, and Tribal law enforcement agencies, includ-
21 ing the State and Local Anti-Terrorism Program that is
22 funded by the Bureau of Justice Assistance of the Depart-
23 ment of Justice, and ensure that such programs include
24 training and resources to assist State, local, and Tribal
25 law enforcement agencies in understanding, detecting, de-

1 tering, and investigating acts of domestic terrorism and
2 White supremacist and neo-Nazi infiltration of law en-
3 forcement and corrections agencies. The domestic-ter-
4 rorism training shall focus on the most significant domes-
5 tic terrorism threats, as determined by the quantitative
6 analysis in the joint report required under section 4(b).

7 (b) REQUIREMENT.—Any individual who provides do-
8 mestic terrorism training required under this section shall
9 have—

10 (1) expertise in domestic terrorism; and

11 (2) relevant academic, law enforcement, or
12 other community-based experience in matters related
13 to domestic terrorism.

14 (c) REPORT.—

15 (1) IN GENERAL.—Not later than 6 months
16 after the date of enactment of this Act and twice
17 each year thereafter, the Secretary, the Attorney
18 General, and the Director shall each submit a bian-
19 nual report to the committees of Congress described
20 in section 4(b)(1) on the domestic terrorism training
21 implemented by their respective agencies under this
22 section, which shall include copies of all training ma-
23 terials used and the names and qualifications of the
24 individuals who provide the training.

1 (2) CLASSIFICATION AND PUBLIC RELEASE.—

2 Each report submitted under paragraph (1) shall
3 be—

4 (A) unclassified, to the greatest extent pos-
5 sible, with a classified annex only if necessary;
6 and

7 (B) in the case of the unclassified portion
8 of each report, posted on the public website of
9 the Department of Homeland Security, the De-
10 partment of Justice, and the Federal Bureau of
11 Investigation.

12 **SEC. 6. INTERAGENCY TASK FORCE.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of enactment of this Act, the Attorney General, the
15 Director, the Secretary, and the Secretary of Defense shall
16 establish an interagency task force to analyze and combat
17 White supremacist and neo-Nazi infiltration of the uni-
18 formed services and Federal law enforcement agencies

19 (b) REPORT.—

20 (1) IN GENERAL.—Not later than 1 year after
21 the interagency task force is established under sub-
22 section (a), the Attorney General, the Director, the
23 Secretary, and the Secretary of Defense shall submit
24 a joint report on the findings of the task force, and
25 the response of the Attorney General, the Director,

1 the Secretary, and the Secretary of Defense to such
2 findings, to—

3 (A) the Committee on the Judiciary of the
4 Senate;

5 (B) the Committee on Homeland Security
6 and Governmental Affairs of the Senate;

7 (C) the Select Committee on Intelligence of
8 the Senate;

9 (D) the Committee on Armed Services of
10 the Senate;

11 (E) the Committee on the Judiciary of the
12 House of Representatives;

13 (F) the Committee on Homeland Security
14 of the House of Representatives;

15 (G) the Permanent Select Committee on
16 Intelligence of the House of Representatives;
17 and

18 (H) the Committee on Armed Services of
19 the House of Representatives.

20 (2) CLASSIFICATION AND PUBLIC RELEASE.—

21 The report submitted under paragraph (1) shall
22 be—

23 (A) submitted in unclassified form, to the
24 greatest extent possible, with a classified annex
25 only if necessary; and

1 (B) in the case of the unclassified portion
2 of the report, posted on the public website of
3 the Department of Defense, the Department of
4 Homeland Security, the Department of Justice,
5 and the Federal Bureau of Investigation.

6 **SEC. 7. DEPARTMENT OF JUSTICE SUPPORT FOR HATE**
7 **CRIME INCIDENTS WITH A NEXUS TO DOMES-**
8 **TIC TERRORISM.**

9 (a) COMMUNITY RELATIONS SERVICE.—The Com-
10 munity Relations Service of the Department of Justice,
11 authorized under section 1001(a) of the Civil Rights Act
12 of 1964 (42 U.S.C. 2000g), shall offer the support of the
13 Service to communities where the Department of Justice
14 has brought charges in a hate crime incident that has a
15 nexus to domestic terrorism.

16 (b) FEDERAL BUREAU OF INVESTIGATION.—Section
17 249 of title 18, United States Code, is amended by adding
18 at the end the following:

19 “(e) FEDERAL BUREAU OF INVESTIGATION.—The
20 Attorney General, acting through the Director of the Fed-
21 eral Bureau of Investigation, shall assign a special agent
22 or hate crimes liaison to each field office of the Federal
23 Bureau of Investigation to investigate hate crimes inci-
24 dents with a nexus to domestic terrorism (as such term

1 is defined in section 3 of the Domestic Terrorism Preven-
2 tion Act of 2020).”.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to the De-
5 partment of Justice, the Federal Bureau of Investigation,
6 the Department of Homeland Security, and the Depart-
7 ment of Defense such sums as may be necessary to carry
8 out this Act.